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EXAMINER
RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/059,074	CLEMENT ET AL.
	Examiner	Art Unit	
	Sam Rimell	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 11, 21: It is not clear whether the claimed "web browser" is a browser only at the administrator interface, or is part of the GUI and the administrator interface.

Claims 2-10 and 12-20: Depend on claims 1, 11 and 21.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Csipkes et al. (U.S. Patent 6,188,402).

Claim 1: FIG. 1 discloses an apparatus (101) used in support of a procedure. The data which is illustrated in the screen displays of FIGS 4- 9 are stored in the memory of the assembly plant network computers connected to the computer (101) (col. 3, lines 8-13).

As seen in FIGS. 6(B) and FIG. 7, the memory includes performance support data. That data includes: (1) action data ("STEP 12" in FIG. 6B); (2) Resource Data ("Ensure excess wiring

is clipped at ends after soldering" in FIG. 6B); (3) Reference data ("Terminal" button in FIG. 7

that allows user to connect to external computer system); (4) Procedure Data ("Make a 5 coil

inductor 24 AWG black stripped and install at L19" in FIG. 6B); and (5) Assembly Data (image

diagram on right side of display in FIG. 6B).

The processor is the processor in computer (101) which can retrieve data from the

memory of the assembly plant network computers (col. 3, lines 8-13) and assemble the data into

the displays of FIGS. 4-9. The displays of FIGS. 4-9 are graphical user interfaces which are

navigable by a web browser system (See browsing buttons "Next" and "Prev" in the upper

portions of FIGS. 5A and 6A, for example). FIG. 7 illustrates an administrator interface. The

administrator interface can create or remove the data shown in FIGS. 4-9 by allowing a user to

login (create a display of data) or logoff (remove a display of data). The login and logoff is

accomplished by the "New Operator" button (col. 7, lines 18-20).

Claim 2: The action data is an individual line of data. Any individual grouping of data is

readable as a data object. The action data line describes one step in the procedure.

Claim 3: The resource data are lines of text in a text box. Any individual grouping of

data is considered to be a data object.

Claim 4: The reference data is the radio button "Terminal" in FIG. 7. A radio button is

readable as a data object. The "Terminal" button allows the user terminal (101) to call up the

address of another computer in the network in order to communicate with that computer (col. 7,

liens 15-18).

Claim 5: The procedure data is an individual grouping of data in FIG. 6B. An individual grouping of data is readable as a data object. The procedure data provides a series of instructions ("make a 5 coil inductor" and "install at L19").

Claim 6: The assembly data is the right portion of FIG. 6B. The assembly data includes two data objects (an image and a group of text adjacent the image). The assembly data visually represents the procedure.

Claim 7: The administrator interface is FIG. 7. It allows a user to create data objects by logging into the system and displaying those objects (using the "New Operator" button). It allows a user to terminate to those objects by logging off. The administrator interface of FIG. 7 is menu driven and includes a menu of choices.

Claims 8-9: Column 3, line 10 describes the first network as an assembly plant network, which would correlate to an intranet. Col. 3, line 11 further discloses "global downloading" which would require an Internet, since "global" data would originate outside of local assembly plant network.

Claim 10: FIGS 6B and 7 are graphical user interfaces (GUIs) that permit user interaction. A GUI is, by definition, a user interface.

Claim 11: See remarks for claim 1.

Claim 12: The administrator interface is shown in FIG. 7. It includes multiple functions activated by radio buttons.

Claim 13: See remarks for claim 10.

Claim 14: Any of the radio buttons in FIGS 6B and FIG. 7 activate user functions.

Claim 15: See remarks for claim 2.

Claim 16:   See remarks for claim 3.

Claim 17:   See remarks for claim 4.

Claim 18:   See remarks for claim 5.

Claim 19:   See remarks for claim 6.

Claim 20:   See remarks for claim 7.

Claim 21:   For the memory, processor and display, see remarks for claim 1. For the action data, resource data, reference data, procedure data and assembly data, see remarks for claims 2-6.

Remarks

Applicant's arguments and amendments have been considered.

Applicant's arguments are primarily directed to the recitation of the web browser as now define in claims 1, 7, 11 and 21.

Examiner maintains that Csipkes et al. teaches the concept of a web browser. In particular, FIGS. 5A and 6A illustrate graphical user interfaces in which a user can brose among inter-related pages using the "Next" and "Prev" buttons on the interface. Examiner maintains that this interface constitutes a web browser, even if it is not explicitly recited for use in an Internet environment.

This office action follows the filing of an RCE and is made non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.

Sam Rimell
Primary Examiner
Art Unit 2165